

Circuit Court

MISSION STATEMENT

The mission of the Circuit Court is to serve the Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely, and efficient manner; and to adjudicate domestic and child support cases.

BUDGET OVERVIEW

The total recommended FY07 Operating Budget for the Circuit Court is \$12,396,100, an increase of \$1,105,380 or 9.8 percent from the FY06 Approved Budget of \$11,290,720. Personnel Costs comprise 78.9 percent of the budget for 104 full-time positions and 15 part-time positions for 111.2 workyears. Operating Expenses account for the remaining 21.1 percent of the FY07 budget.

HIGHLIGHTS

- ❖ **Continue to fund the Drug Court program to provide offenders with intensive treatment through a combination of individual and group therapies, case management services, frequent court appearances, drug testing, and community service; thereby, avoiding new contacts with the criminal justice system.**
- ❖ **Assign a new Administrative Judge to the Juvenile Division of the Circuit Court and fully fund support staff.**
- ❖ **Provide funding for two research assistants, who will provide research and statistical support for short and long term court projects.**
- ❖ **Increase funding to address higher operating expenditures.**
- ❖ **Productivity Enhancement**
 - Continued to close all cases in civil, criminal, juvenile, and domestic relations at or above Statewide standards.
 - Processed approximately 27 adult offenders and 7 juvenile offenders in the new Drug Court Program.
 - The FY05 overall case termination rate rose to 100% compared to the national average of 91%.

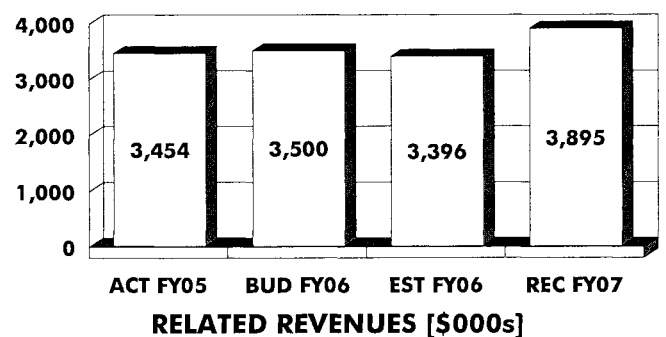
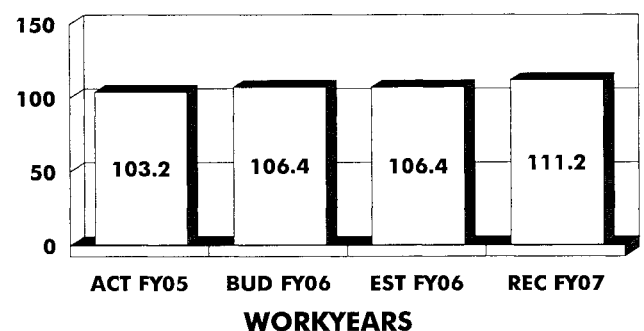
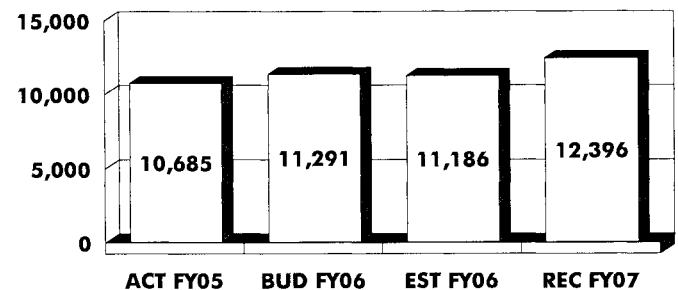
PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or Alexandra Shabelski of the Office of Management and Budget at 240.777.2785 for more information regarding this department's operating budget.

Program Summary

	Expenditures	WYs
Administration	2,342,740	8.4
Adjudication	2,597,460	30.0
Family Masters	1,050,440	9.0
Case Assignment	1,052,330	14.0
Jury	737,400	4.0
Family Services Support	769,590	8.0
Technical Services	714,390	10.0
Law Library	467,450	3.0
Trust and Guardianships	171,220	2.5
Grants	2,493,080	22.3
Totals	12,396,100	111.2

Trends



PROGRAM DESCRIPTIONS

Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the court. The Court Administrator's role is to facilitate the administrative functions of the court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: Fiscal Administration of the budget; Human Resources; Caseflow Management and Statistics; Technology Management; Information Management; Jury Management; Space Management; Intergovernmental liaison; and Public Information.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	2,265,540	3.4
FY07 CE Recommended	2,342,740	8.4

Adjudication

Adjudication encompasses support staff for the judiciary and Differentiated Case Management (DCM). Conceptually, this division monitors case assignment (criminal, civil, and family cases), provides expedited case disposition for incarcerated offenders; and provides judicial supervision consistent with complexity of each case filed. Adjudication/DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track assignment that allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated with the Circuit Court Program Measures.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	2,390,370	29.0
FY07 CE Recommended	2,597,460	30.0

Family Masters

Family Masters Division handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	875,680	9.0
FY07 CE Recommended	1,050,440	9.0

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special docket dates for Judges and Family Masters. The Assignment Office maintains all scheduling information related to: Criminal Indictment and Information; Criminal Jury Demands and Appeals; Civil, Juvenile and Family trial assignment; Civil, Family and Juvenile Motions; and Bench Warrants. The Assignment Office also manages all court sheet information, locates all files for assigned calendars, reviews each file, and delivers files to various court-hearing rooms.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	916,270	13.0
FY07 CE Recommended	1,052,330	14.0

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to serve when summoned. The Jury Commissioner and staff dispatch questionnaires to prospective jurors from information gathered from the lists of Voter Registration and Motor Vehicle Administration. The Commissioner maintains a qualified jury pool from the individuals who are determined to be qualified as jurors under Maryland Courts and Judicial Proceedings § 8-207.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	719,900	4.0
FY07 CE Recommended	737,400	4.0

Family Services Support

Family Services Support handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	710,150	8.0
FY07 CE Recommended	769,590	8.0

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Gray Courthouse. All Video Conferencing between the Circuit Court, District Court, Montgomery County Detention Center (MCDC), and Montgomery County Correctional Facility (MCCF) is handled

through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	702,470	10.0
FY07 CE Recommended	714,390	10.0

Law Library

The Law Library supports the research activities of the court, local bar association and public. The Law Library's collection of American Law is comprehensive in scope. In addition to Maryland and Federal materials, the collection includes the National Reporter System as well as a variety of books needed for the practice of law in Maryland. Library staff is available to answer questions regarding the library and its collection. Assistance with research is limited to directing patrons to appropriate sources. Library staff does not perform legal research, render legal opinions, or comment on court procedures.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	448,430	3.0
FY07 CE Recommended	467,450	3.0

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities, which consist primarily of guardianships, required to comply with the reporting requirements set forth in the Maryland Court Rules, Title 10, Guardians and Other Fiduciaries. The reports required to be filed include the Inventory and Information Report and Annual Fiduciary Report for guardianships of the property of a minor or disabled person and the Annual Report for guardianships of the person of a disabled person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the court.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	163,430	2.5
FY07 CE Recommended	171,220	2.5

Grants

The Family Grant is supported by state funding and provides services to families so that the process reduces conflict and introduces the parties involved in litigation to problem-solving techniques to help reduce future litigation. This program provides for: case managers that provide day-to-day management of cases between Family Masters, judges, counsel and litigants; Custody Mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; Pro Se Project staffed by attorneys and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; Supervised Visitation providing for a structured setting for

visitation between children and their parents; Psychological Evaluations are conducted when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; Guardian ad litem appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

The Montgomery County Juvenile Drug Court is collaborative partnership sponsored by the Montgomery County Circuit Court with other law enforcement agencies, the healthcare treatment system, the education system, and criteria-eligible juveniles and their families to provide rapid intervention, treatment and structure in the lives of juveniles who use alcohol and other drugs. The Project will: (i) improve the educational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs; (ii) provide programs that identify and meet the treatment needs of adults and juvenile drug-dependent and alcohol-dependent offenders; and (iii) implement innovative programs that demonstrate new and different approaches to enforcement, prosecution and adjudication of drug offenses and other serious crimes.

The Montgomery County Adult Drug Court Program is a voluntary program that offers a new opportunity to offenders who require a more intensive focus on treatment and monitoring, and who may benefit from more direct attention from the Court. It is a program that is completed in three phases and can extend anywhere from 9-18 months depending on the offender's progress. Over the course of the participation in the Program, the offender will be involved in individual and group therapy, regular meetings with a Case Manager, random drug testing, case supervision and monitoring, and participation in regular sessions of the Drug Court.

FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	2,098,480	24.5
FY07 CE Recommended	2,493,080	22.3

BUDGET SUMMARY

	Actual FY05	Budget FY06	Estimated FY06	Recommended FY07	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	4,902,987	5,379,660	5,379,660	5,819,920	8.2%
Employee Benefits	1,522,075	1,641,240	1,641,240	1,896,370	15.5%
County General Fund Personnel Costs	6,425,062	7,020,900	7,020,900	7,716,290	9.9%
Operating Expenses	1,985,519	2,081,340	2,081,340	2,186,730	5.1%
Capital Outlay	3,544	90,000	90,000	0	—
County General Fund Expenditures	8,414,125	9,192,240	9,192,240	9,903,020	7.7%
PERSONNEL					
Full-Time	83	83	83	86	3.6%
Part-Time	7	7	7	7	—
Workyears	81.7	81.9	81.9	85.5	4.4%
REVENUES					
Juror Fees State Reimbursement	409,395	400,000	400,000	400,000	—
Masters Salary Reimbursement	519,855	552,000	552,000	552,000	—
Interpreter Fees State Reimbursement	255,339	450,000	450,000	450,000	—
County General Fund Revenues	1,184,589	1,402,000	1,402,000	1,402,000	—
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,276,516	1,464,720	1,369,850	1,651,200	12.7%
Employee Benefits	365,281	380,330	367,250	418,390	10.0%
Grant Fund MCG Personnel Costs	1,641,797	1,845,050	1,737,100	2,069,590	12.2%
Operating Expenses	615,331	253,430	256,590	423,490	67.1%
Capital Outlay	14,118	0	0	0	—
Grant Fund MCG Expenditures	2,271,246	2,098,480	1,993,690	2,493,080	18.8%
PERSONNEL					
Full-Time	16	16	16	18	12.5%
Part-Time	8	8	8	8	—
Workyears	21.5	24.5	24.5	25.7	4.9%
REVENUES					
Family Law Grant	1,961,908	1,706,520	1,706,520	2,065,870	21.1%
State Grant - Juvenile Drug Court Program	86,991	118,830	85,700	85,740	-27.8%
State Grant - Adult Drug Court Program	208,229	273,130	201,470	201,470	-26.2%
Trial Court Research Partnership	0	0	0	140,000	—
Local Law Enforcement Block Grant (LLEBG)	12,706	0	0	0	—
Grant Fund MCG Revenues	2,269,834	2,098,480	1,993,690	2,493,080	18.8%
DEPARTMENT TOTALS					
Total Expenditures	10,685,371	11,290,720	11,185,930	12,396,100	9.8%
Total Full-Time Positions	99	99	99	104	5.1%
Total Part-Time Positions	15	15	15	15	—
Total Workyears	103.2	106.4	106.4	111.2	4.5%
Total Revenues	3,454,423	3,500,480	3,395,690	3,895,080	11.3%

FY07 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY06 ORIGINAL APPROPRIATION	9,192,240	81.9
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY07 Compensation [Adjudication]	347,230	0.0
Increase Cost: New Judge Personnel and Operating Expenses [Adjudication]	160,540	2.0
Increase Cost: Group Insurance Adjustment	65,270	0.0
Increase Cost: State Law Clerk Reimbursement [Administration]	61,010	0.0
Increase Cost: County Match for the Research Grant [Administration]	53,000	0.0
Increase Cost: Retirement Adjustment	50,210	0.0
Increase Cost: Remainder of County Match for the Research Grant [Administration]	47,000	2.0
Increase Cost: Cellular Phone line charges [Administration]	18,500	0.0
Increase Cost: Increase costs for Westlaw Contract; computer supplies [Administration]	11,450	0.0
Increase Cost: Increase costs for Judicial Center operational costs [Administration]	6,290	0.0
Increase Cost: Increase costs for office supplies [Administration]	5,310	0.0
Increase Cost: Record Management Charges [Administration]	2,180	0.0
Increase Cost: Increase Costs for equipment repairs and maintenance [Administration]	2,000	0.0
Increase Cost: Motor Pool Chargebacks [Administration]	1,450	0.0
Increase Cost: Increase costs for meeting expenses [Administration]	1,100	0.0
Increase Cost: Travel Metropolitan Area [Administration]	800	0.0
Increase Cost: Motor Pool Rate Adjustment	460	0.0
Increase Cost: Increase costs for Judges' robes [Administration]	200	0.0
Decrease Cost: Workforce Adjustment	0	-0.4
Decrease Cost: Annualization of FY06 Personnel Costs [Adjudication]	-27,880	0.0
Decrease Cost: Decrease One-time expenses from FY06 [Administration]	-95,340	0.0
FY07 RECOMMENDED:	9,903,020	85.5
GRANT FUND MCG		
FY06 ORIGINAL APPROPRIATION	2,098,480	24.5
<u>Changes (with service impacts)</u>		
Add: Trial Court Research Partnership Grant	140,000	1.2
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Annualization of Family Law Grant	359,350	0.0
Decrease Cost: State reduction to Juvenile Drug Court Program grant	-33,090	0.0
Decrease Cost: State reduction to Adult Drug Court Program grant	-71,660	0.0
FY07 RECOMMENDED:	2,493,080	25.7

FUTURE FISCAL IMPACTS

Title	CE REC. FY07	FY08	FY09	(\$000's) FY10	FY11	FY12
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY07 Recommended	9,903	9,903	9,903	9,903	9,903	9,903
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	129	129	129	129	129
These figures represent the annualization of FY07 increments, general wage adjustments, and associated benefits.						
Subtotal Expenditures	9,903	10,032	10,032	10,032	10,032	10,032